App.F.IX-4

1923.

File No. 71-23

Previous References (Secretariat)

Serial Nos. 1—7

Mus 562-28-1-16
" 126-07 1-16
" 261-22- 3 & 1-2
" 435-12- 11-12
1-3

Later references.
" 261-22- 3
1-2

Mus 42-08- Sect. II
" 185-06
" 308-06

Mus 10-29-1-9.
82-07-Sect I & 38-1-2
126-07-1-16. Mus 161-34 1-2
GENERAL AND REVENUE SECRETARIAT.
Mus 186-35-1-4

Serial Nos. 6

Part B for February 1926

SUBJECT

Petition from Ranganathaiah praying for the restoration of the village Honnenhalli Kolar Taluq

G.O. No 998-1000
dated 5-2-26

To Mus. Comr
" Comptr
" Dy. Comr Kolar

The Mus Comr is requested to take necessary action in the matter

G. R. S. III—1] 1912 3- 24

GENERAL AND REVENUE SECRETARIAT.

(Mur)

NOTES.

File No. 7/-23

FILE HEADING.

Petition of Ramagowda murthi of Siddaghatta for a revision of G.O. No. 4355/Mur 435-12-16 dt 22-6-20.

From

Ramagowda Murthi thro his counsel Mr. M. Srinivasachar

No. Dated Received

Diary No. 282	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Prays that G.O. No 4355/Mur 435-12-16 dated the 22nd June 1920 resuming the inam village of Honnenhalli, Kolar Taluk, of the Arcot Inam Magte cancelled & the village restored to him.

NOTES AND ORDERS.

A brief history of the case has been given in Mur: file 261-22 (Sl 3). The present petition relates to the resumption of the inam village of Honnenhalli from the Petrs possession in whom the Sowcar of the Sri Swami mutt have ever the village for 80 years on an annual quitta of Rs 375 for 10 years from 1912 when it was leased, and subsequently for Rs 400 per year

NOTES—First Sheet.

G. R. S. III-2

General and Revenue Secretariat.

File No. 71 of 1923

Serial No.

Long leases have been considered to amount to alienations in the Muzaffargarh and on this account the village was ordered to be resumed from his possession. The Asst. details in the present petition the terms of the lease, & the circumstances under which the lease was granted to him, and says that the lease cannot be considered as an alienation, that he has spent a great deal of money on the improvement of the village and that the order of resumption is unsustainable for the various reasons mentioned in paras V to IX of the review appln.

3 After the village was resumed & the Asst. dispossessed of it, no report has been rec'd as to how the village has been disposed of i.e. whether the lease has been granted to any one else, if so, to whom, & on what amt. & for what period, and whether the present new lease is more profitable to the Govt. than that of Ramagarwa which

NOTE—Contn. sheet.

287

3

G. F. 3. III-2)

General and Revenue Secretariat. | Misc. File No. 71 of 19 23

Serial No.

The various applications may be sent to the Mun: Comr for a report on all the points touched upon therein, as well as on the information referred to in the last para.

128
5.9.23

BG
5/9/23 (2nd Member)

dcs
5/9/23

Was the Petr not heard when he was here before? Now urged that places given before for not having come in order to be reconsidered

dcs
8/9/23

The Petr was not heard previously, and as he has brought out all the points in his favour in greater detail in this Petn than in his previous Petns. - If the impugned Rep. in this para & above is called for & rcd, Govt will be in a position to know whether the reconsideration already ordered will work to the benefit of the Petr or not. In the latter case, the Petr may be heard & suitable order issued.

dcs
7/9/23

All original Reports may be called for & considered by us

dcs
10/9/23

NOTE—Contn. sheet.

Draft
dcs 270
10/9 11-9-23

BG
11/9/23 (2nd Member)

dcs
11/9/23

R. S. III-2]

Muzrai Secretariat

Muz. File No. 71 of 1923

Serial No.

Dft. Submtd. - Also a Rep[t]
Encl. to Rep[t]
AU 18.9.23.
Issue
18/9/23

2. ... Muz. Comm. ...
... for. the Govt. for a
detailed report.

10 ... is very unsatisfactory —
that this file has not
been submitted to me
although no report has
been received for 2 years —
In future if reports are
not received within 3 months
the matter must be brought
to the notice of the Govt
Pursuant Regn. Dft. letter to DC
M.C

10

WD 0561—GPB—3760—1 8 22

NOTE—Contn. sheet

G. R. S. III. 2]

Muzrai Secretariat | Muz. File No. 71 of 1923.

Serial No. 3.

From The Muz. Comr

Letter no. C. 314 Dd 19.8.

Recommend approval to the Dy. Comrs. recommendation to confirm the resumption order ~~of~~ re Hunnenahalli village already passed, and to the payment of Rs 500/ towards the alleged improvements made to the Village including the construction of the house.

2 The facts connected with the case are given in para 41-45 of the Hon-note in Muz. J. no. 562-20, and also in para 3 of G.O. no. 1516-J Dd 12. 10. 1922 rejecting the petitioners' appeal so far as the village of Hunnenahalli is concerned.

(8-9) 14 The petn. for fresh

NOTE—Contn. sheet

WD 0561—GPB—3750—1-8-22

Muzrai Secretariat | Muz. File No. 91 of 1923

Serial No

has presented a petition praying that the management of the village may be continued to him as before. The village is yielding an average annual income of Rs 575/- for the last 5 years

Submitted for orders.

AP

A.G. 25.

A brief history of the case is given in pp 4 to 9 of Muz. file 261-22. The local Govt. Committee recommends that the loss of the Pet. at Rs 500 which the Pet. sustained may be paid as compensation from the funds of the Department. The Pet. of the Appellant does not deny materially that he has sustained a very much greater loss for the reason that for the last three years 3400 Rs by way of Principal & Rs 2000 by way of interest. Though the loss which the Pet. says he has sustained seems to be somewhat exaggerated, yet the difficulties he has referred to in the Pet. and Reasons have been experienced which have put him to great loss

NOTE—Contn sheet

WD 0561/GPB-3750—1 8 22

G. R. S. III. 2]

(1

Muzrai Secretariat | Muz. File No. 71 of 1923

Serial No.

than that calculated by the local officers.

10 As regards the long period of 80 years for which the lease has been given by the Swami Sahib to the Petr., it is submitted that the period is too long & such a lease cannot be countenanced. But there are instances in recent years in which Govt have sanctd leases for 30, 40 & 50 years, and on account of the exceptional circumstances of this case, a lease for 40 or 50 years to the Petr on a more reasonable rental may perhaps be considered. This will enable a satisfactory arrangement both for the Petr who says he has spent a large amt on the improvement of the wells & for the mattadhipathi whose financial position now requires to be placed on a more satisfactory basis.

17 Merits has not further been given the benefit of a hearing by the Govt or the Muz Commr. The case may, therefore be forwarded for hearing

Mean flagwise Godyear 1930

NOTE—Contn. sheet

WD 0561-GPB—3750—1 8 22

G. R. S. III. 2]

242 (C

Muzrai Secretariat	Muz. File No. 71 of 1923

Serial No

91

(1)

GO no 4355 - Mus. 435-12-16 dt 22-6-1920 is flagged

Section Officer
AE
8.9.25
SO
8/9/25

All the Officers are unanimously of opinion that the petitioner should not be allowed to get back to the possession of the village, and that the order of 1922 should be confirmed. We do not, however, recommend that in view of a house having been constructed in the village by the petitioner he may be given Rs 500. This proposal may be accepted.

DO
9.9.25.

Rev Secy. The petr may however be given an hearing before passing final orders. This may satisfy him.
(Mr. Mudaliar).

AK
14/9/25
DO
15.9.25

362
15.9.25

NOTE—Contn sheet

WD 0561—GPB—9750—1 8 22

Muzrai Secretariat | Muz. File No. 71 of 192 3

Serial No.

[illegible] as stated in the notes above, the petr has not been given a hearing by Sub D C or the R. C, the R C may be requested to give the [illegible] an opportunity of expressing his case in person after hearing him, to favour him with his views in the matter

A.J. 22/1

From a perusal of the records connected with the case, it is seen that the Dy Comr (Mr. Hiranmaya) posted the case & heard the petr and others on 15.1.25 and at the request of the parties, sent back the records to the Sub Dvl officer for holding further enquiries into the matter.

Post to hear new pleadings & arguing the case on merits.

(vide D.C's order no K.H.C 257/22-24 dt 15.1.1925) decided on Sub Dvl Officer's report dt 15/1/25.

NOTE—Contn sheet

VD 0561—GPB—3750—1.8.22

R. S. III-2]

(10

Muzrai Secretariat | Muz. File No. 7/F of 1923

Serial No.

(1) In accordance with the Dy Comrs' instructions, the Sub-Dist Officer, inspected the Villages held further elaborate enquiries into the matter and has given full opportunity To Rama Surnamtiah to represent his case besides recording The Statement of parties. (Vide Report no. H.P. 677 dt 23-2-1925) ~~His Dy Comrs does~~ Submitted for orders.

Rama Surnamtiah's Statement dt 22/2/25. E.

J

(2) In the Petr's petition dt 19.5.25 he alleges in Paragraph II the sums stated to have been spent by him as against the amt of 500 Rs granted by the Asst Dist Officer, and his present Petn dt 20.8.25 para 4 refers to the advantage accruing to the Mattu by carrying out the proposed management of the village, in his hands. He is further a decided of the small sum interested in its well being. Perhaps a report might be called for on the several points mentioned by him in these two Petns. Dist Forest Officer

We are not concerned with what he states.

NOTE—Contn sheet

MD 0561/GPB-3750—1 8 22

R. S. III-2]

(11

Muzrai Secretariat | Muz. File No. 71 of 1923

Serial No. 1

Why this presumption

Sufficient enquiry has not been made in these matters.

3/1/25

Put up copy to Mr. as orders by the member

4

AV 4/10

5

5/10. Mr. Comm.

No 443 of 15-10-25

Requests him to give the petr Ramaswamiah an opportunity to represent his case in person after hearing him

6

From the Mur Com. No C-314 of 23-24

25-1-26 States that the Petr was given a hearing as directed by this Office & Recommends that on a consideration of the enquiry

NOTE—Contn sheet

WD 0561—GPB—3750—1 8 22

764

(12

[App. F. III—2

General and Revenue Secretariat | Revenue File No. 71 of 1925

Serial No

that he has spent much on improvements with the prospect of reaping the benefit in the long run, & the lease of the village may be given him for 20 years instead of 80 years.

(2) The recommendation of the Mag Comr to grant the lease of this village for 20 years from now seems to be quite reasonable and may be sanctd under the circumstances brought to notice by him.

Rly — 9.1.26

Ref:- Fr. memo's min. 1 to 9-25 (on page 9).

1) The pet. has been heard by the revenue Commr on 3 occn

2) The 20-year lease, recd by the revenue Commr, Cancelling the previous lease of 80 yrs may be sd. as it is equitable on the circs.

Revenue 1) 9/1.

The Mangrov Comrs present recommendation made, in supersession of that contained in his letter of 19.8.25 - Serial 3 - appears to be equitable and may be sanctioned.

34 (Fr. member) 15/1

35 Draft order may be put up for consideration - for the proposed lease to be recommended to the Govt

356/15.1

NOTE—Contn. Sheet

File No. of 192

Serial No.

Serial No

367

D/L. S.O. submit

AV 23.1.26. BF. 23/1/26

3) Regr:- I st. member's orders on the foregoing paper. Draft, put up, accordingly, for approval.

3 5 Rev. Sec'y) 28/1,

3 9 Draft revised submitted 1st. member) 23.1.26.

651 / 25.1

Personally I did not think it may be safer to the original recommendations of the DC & R.C pointedly in the draft- also.

40 The facts and no. quoted correctly given in the draft. Please see pencil remarks on it - the draft may be revised & resubmitted

24/1 a/s. 25/1

41 D/f S.O. revised and re-submitted for approval

AV 27.1.26. BF. 27.1.26 Rev. Sec'y 27/1

760 / 28.1

42) 1st. member 27/1

43) Approved

29/1

Note—Contn. Sheet

7 To Hon. Mem. Comms., Comptr & D.C. Karachi No. 998-1005J 5-2-26

Sanctions the Hon. Mem's recommendation & requests him to take necessary further action under

App. F. III—2]

File No. of 192

Serial No.	

In the court of the Deputy Commissioner, Kolar District.
Dated Kolar, the 26th day of July 1925.

14

Present:- S. Hiriannaiya, Esq., M.A., B.L., Deputy Commissioner.

Appeal case No:5/24-25.

Petitioner:- ... Mr. Ramagurumurthiah, Sidlaghatta.

Vs.

Opponent:- ... Matada Krishna Sastri, Kolar.

The records in the case relate to the petition of appeal present by the appellant to the Revenue Commissioner in Mysore in appeal No: 65 of 23-24, on the file of the Revenue Commissioner, praying that the orders passed by this Court in appeal No:73 of 21-22 might be set aside. The facts of the case are as follows:-

Wet lands measuring 6 acres in the Jodi Honnenahalli village, which is an endowment to the Sri Avani Mutt, were given for a permanent lease at an annual rental of ₹ 81-1-6 by the Swamigalvaru of the Avani Mutt in the year Akshaya 1866, to one Gurumurthi Sastri brother of the respondent Krishnasastri, in consideration of the lessee or his ancestors having rendered service as Sarvadhikaries of the Mutt for a long time. Mr. Ramagurumurthiah appellant in the case, obtained the lease of the six acres of the same wet lands on rental of Rs 24-0-0 per annum, for permanent kandayam in the year 1913 from the Swamigalvaru of the Avani Mutt. Subsequently the Swamigalvaru leased out the whole Inam village of Honnenahalli in favour of Mr. Gurumurthiah, in consideration of the latter having improved the wet lands and the irrigation ~~work~~ wells in the village. A dispute having arisen between the parties regarding the possession of this property, the matter was referred for orders of this office and it was decided in appeal No:73/21-22 dated 17th July 1923. Mr. Ramagurumurthia preferred an appeal to the Revenue Commissioner in Mysore, against the decision of this office and that officer has now sent back the records for a further detailed enquiry by the Sub Division Officer and the disposal of the matter by this office. The Sub Division Officer, Kolar Sub Division has now held detailed enquiries and submitted the records.

ORDER.

This is a simple case of transfer of patta of certain wet

lands in Sarvamanya Honnenahalli village in the Kolar
question has become a complicated one owing to the acute
that have sprung up between the petitioner Ramagurumurthia
ponent Katada Krishnasastri. Both of them are close rela
latter having married the sister of Ramagurumurthia, the lady is
dead but the relationship was intended to be continued by the mar-
riage of Krishna Sastri's son by that wife with a daughter of the
petitioner. In fact the children of Krishnasastri were taken over
by Ramagurumurthiah to his own house in Sidlaghatta on the death of
his sister as that is his usual place of residence. Krishnasastri
is a resident of Kolar Town.

The village of Honnenahalli is an endowment by Government to
the Sri Vani Mutt but has been taken over under Government manage-
ment under G.O. No:1516-7/Miz:562-20-15 dated 12th October 1922, in
consequence of certain unauthorised act of alienation by H.H. the
Swamigalu who departed this life a few weeks ago in Hyderabad terri-
tory. The wet lands which have been the occasion of this dispute con-
sist of about six acres and each party contends that he has obtained
it on permanent Kandayen tenure from the Swamigalu of the Mutt for
the time being. But whereas the title of the petitioner is alleged
to date from about 1912 the opponent Krishnasastri claims a grant
of the lands to his ancestors in the year 1866, and repudiates the
validity of the latter grant in favour of the petitioner. Even if true
as according to him the Swamigalu had no transferable tenancy rights
in the lands in the year 1912. As the village is now under Government
management it has become necessary to decide in whose name the patte
of the lands in question should be registered.

To begin with it must be stated that looking at the question
from the standpoint of the Act neither of the grants can be satis-
factorily established. The opponent relies on the grant of 1866 but
for obvious reasons this cannot be proved and the testimony regarding
similarity of hand-~~writing~~ writing of the Swamigalu who is said to have
made the grant cannot be accepted as conclusive. Further, theancestors
of Krishnasastri (opponent) inwhose favour thegrant is said to have
been made were themselves the sarvadhikaries of the Mutt and the
shanbhoges of the village (Honnenahalli) and if it is remembered that

Hindu Mathadhipathi even if he has the inclination has very little time and opportunity to scrutinise minutely the management of the temporal affairs of the Mutt the legal validity of the grant relied on by the opponent will have to be established by very strict proof. I am not therefore prepared to place much reliance on Ex.D.9 which is said to be the patte granted to the opponent's ancestors in 1866.

But independently of this document there is very little doubt that the family of the opponent were in enjoyment of the lands in dispute onpayment of a fixed kandayam of about Rs 81/- odd till disputes arose between the opponent and the Swamigalu who is just dead (Vidya Sankara Bharathi Swamigalu). This fact has been proved not merely by the oral evidence on record and the accounts produced by Krishnasastri but also by the statement of the petitioner Ramagurumurthia who admits having written some of these accounts for the Swamigalu which contain entries relating to the Kandayam due by the opponents brother Gurumurthi Sastri on the lands in question. (Vide Exts.D.1 and D.2 for the years Vikari and Hevalambi). That is to say till about the year 1904 when disputes began to arise between the Swamigalu and opponent the latter or his family had possession of the lands on payment of a fixed rent.

After this date the Swamigalu began to repudiate the right of the opponent tohold the disputed lands. In the year 1908-09 - the Swamigalu filed a criminal complaint of mischief against the opponent alleging unauthorised felling of trees by the latter but the complaint was dismissed on the ground that the accused had been holding the lands on permanent kandayam tenure (Ex.D.18). The Swamigalu thon filed a Civil Suit against the opponent in the Sub Judge's Court at Bangalore in view to eject the opponent from the possession of the lands but this suit had to be withdrawn owing to a formal defect in the frame of the suit (Vide Ex.D.19). This was in December 1910.

It is curious that during all this time the petitioner was actively espousing the cause of his brother-in-law Krishnasastri against the Swamigalu of the Mutt. Thisfact has practically been admitted by him. In fact the draft of the written statement filed by the opponent in answer to the suit of the Swamigalu in the Sub Court is in the hand-writing of the petitioner Ramagurumurthia (Ex.D.3).

About the year 1912 the Swamigalu decided to quit
[illegible] on a tour and about this time certain transactions have
place the nature and validity of which has now to be determined. In
March 1912 the petitioner has obtained -- according to his contenti
a patta from the Swamigalu under which he is authorised to hold the
land in dispute in perpetuity on a fixed kardayam of about Rs 94/- per
annum but this document has rightly been rejected by the Sub Division
Officer as inadmissible in evidence as it is both unstamped and unregis-
tered. In September 1912 the petitioner obtained under a registered
document a lease of the entire village from the Swamigalu for eighty
years on condition of paying to the Mutt a yearly rent of Rs 375/- for
[illegible] ten years and Rs 400/- thereafter. But as already stated this
lease was later cancelled by Government as amounting to an unauthorised
alienation which the petitioner is seeking to have the order of Govern-
ment recommended.

It is also true that about this time that is between 1912 and
1914 the six acres of wet land in dispute passed into the possession
and enjoyment of the petitioner Ramagurumurthiah. These several acts
indicate an amicable settlement of the time of the differences that
existed between the Swamigalu on the one side and opponent Krishnasastri
and petitioner Ramagurumurthiah on the other. The Swamigalu left on a
tour in the Northern parts and never again returned.

Now the evidence on record clearly establishes the fact that
about this time (i) opponent Krishnasastri divested himself of the
possession and enjoyment of the land in dispute and (ii) that petitioner
entered into possession on his own account. These facts are proved by
the evidence of the petitioner and his witnesses who have deposed to
having carried out works of improvement under his orders and delivered
the produce of the lands to his custody. But there is no necessity to
labour the point. The opponent admits having transferred his properties
to the petitioner for certain reasons which will be adverted to pre-
sently and in his evidence before the Sub Division Officer has deposed
as follows:- -- "Before the petitioner took up the Guttige of the vil-
lage he did not effect any improvement in the village, after the ----
guttige the petitioner has spent Rs 200/- for the repair of Nagaraj well.
He also attempted to dig some wells and spent Rs 200/- but the wells
proved unsuccessful as he met hard [illegible] stone. He has constructed a

18

house for himself at a cost Rs 500/-. These works were done in three years".

I consider the above admission as most important because it conclusively proves that the possession of the disputed lands rested exclusively with the petitioner about this time and that he was spending his own money on it. The well known as Nagaraj Well is on the disputed land and it is only on land irrigated by this well that sugar cane can be grown.

Indeed no other conclusion is possible in face of the documentary evidence consisting among others of numerous letters and post carts written by the opponents to the petitioner regarding the management of these lands and the village. For instance Ex.A.5 is the karar executed in 1919 by Waddar Chowdana Boyi in favour of petitioner for the construction of Nagaraj well and this karar is throughout in the writing of the opponent. Ex.A.7 is a similar document executed in 1914 and relates to Nagaraj Well and is attested by opponent. It is unnecessary to refer to the other documents which have been proved by independent evidence.

As petitioner was a resident of Sidlaghatta and the opponent of Kolar the latter has written numerous letters to the petitioner -- more than forty of them have been filed -- concerning the management of the village and the land in dispute. The contents as well as the tone of the letters are only compatible with the inference that the petitioner was in possession of the properties on his own account. It is now contended for the opponent that in order to defraud his creditors of whom there were many he had only nominally transferred his properties to the petitioner but that he (the opponent) continued as the real owner. This contention cannot be accepted. For instance in Ex.A.10 (4th April 1913), opponent implores petitioner to come to Kolar himself as the ryots of Honnenahalli would not obey his orders and would not cultivate sugar cane on the disputed land and that he was powerless to do anything until the petitioner himself came down. In A.27 dated so recently as 22nd August 1920 the opponent -- gives for the information of the petitioner the measurements taken for the well and other detailed particulars which a nominal owner would not be interested in. In Ex.A.22 dated 1st February 1915 opponent

informs petitioner that the mills were not yet ready for the sugar cane on the disputed land &c. In Ex.A.24 (a post card) January 1917 written evidently by opponent's son Ramagurumurthia informed that the paddy crop in Honnenahalli village had been cut that his arrival was awaited for measuring the yield. In Ex.A.25 opponent writes on 6th March 1916 that the Vaddars did not turn up for work on the well &c. All these letters (Except A.24) are in the opponent's hand-writing. Similarly Sonnapa son of Patel Sinapa who had undertaken to supervise the work of well construction has written several letters to the petitioner explaining the situation as it stood from time to time concerning that work. All these circumstances read with the clear admission of the opponent extracted above Viz: that the petitioner had spent his money on Nagaraj Well prove conclusively that the disputed lands were treated by the petitioner as his own with the knowledge and consent of the opponent. The opponent had no money in fact to improve the wells or grow sugar cane crop on the lands.

Finally, it should be pointed out that the opponent has admitted in the clearest terms in his deposition before the Munsiff's Court in O.S.No: 1 of 1913-14 given on 18th November 1914 (Ex.A.12) that he did not possess any lands in Honnenahalli.

Now if the possession of the petitioner was only benami as now contended by the opponent why should the latter deprive himself of the possession of the lands and ask for the instructions of the petitioner on the smallest details of management? and why should the petitioner spend his own money and keep the entire control in his own hands? In a benami transaction the conditions would be exactly the reverse viz: that while the nominal title would be with the transferee the possession would remain with the transferor. The conclusion is irresistible that so far as the disputed lands were concerned -- whatever may be the case in regard to the other properties of the opponent - the opponent transferred his entire right and interest to the petitioner about the year 1913. Nor is this very strange seeing that the petitioner was bringing up the only son of the opponent and interested to marry him to his daughter and the properties in dispute were probably intended for that boy. It is therefore futile for the opponent to contend that the --- transaction was only of a benami nature. It was not.

In the circumstance it would not be fair to register the lands

20

in the name of the opponent - particularly because petitioner has admittedly spent his own money for the improvement of the land in dispute and the Revenue officers are not in a postion to enforce reimbursement for the loss. If necessary the opponent may go to a Civil Court and have his right established. The patta of the lands will therefore be registered in the name of the petitioner. After al registry of patta will not interfere with the Civil rights of the parties.

26-7-1925.

S. HIRIANNAIYA,
Deputy Commissioner,
Kolar District.

-------:ooo:-------

"Copy"

C Ramachandra Rao

For Deputy Commissioner,
Kolar District.

..V.R.2.
31/7.

App. F. III—2]

WD 0569—GP

File No. of 192

General and Secretariat

Serial No.

22

Muz 4]

2 b 9/2

SUBJECT .....

Diary No. of letter replied to _____

Muzrai Secretariat

( )

, *the* 192 .

Section Mun.

File No. 24-5

Serial No. 2

No. 458

Date of issue 22.9.23

To

The Muzrai Comr

Signed by Mr. V.C. Subbaraya Sri, BSPA.

Adverting to this office letter no. 4355-Muz. 7. 435-12 dy 22.6.20 directing the resumption of such of the inam lands of Sri Avani mutt as have alienated

over.

of mall,
and in cont.n of this office
no. 1516-7/Inam. 562-20 dy
12th Octr 1922 confirming
the Dy. Comrs. order of
the resumption of the
inam Village of
Honnenahalli in the
Kolar Taluk enclosed
to the Collr, I am
directed to forward herewith
for favour of a detailed
report regarding petition
regd. no. 282 from
Rama Sumanthiah
in the Subject
together with information
as to how the village
has been disposed of

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27 7-22

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

i.e. whether the lease has been granted to any one else, & if so, to whom, for what period amount and for what period, and whether the new lease is more profitable to the Govt than that of Gurumurtiah.

I have etc.

A very early reply is requested.

Sd/ [illegible] 19/9/17
Rev. Secretary.

15

No. C 314 g 23 & Office of the Muzral Commissioner in Mysore.

Enter in the file Dated Bangalore, 19th August 1925.

From

C. S. Balasundaram Iyer, Esq., B.A.,

Muzral Commissioner in Mysore,

Bangalore.

GEN. & REV. SECRETARIAT. 24 AUG 1925 MUZ

D No 241

The Secretary to the Government

of His Highness the Maharaja of Mysore,

Revenue Department.

Sir,

With reference to your letter No.458/M.F.71-23-2 dated the 22nd September 1923 forwarding for report review petition of Ramagurumurthian praying for the restoration of Honnenahalli -- village in the Kolar Taluk, belonging to Sri Avani Matt, I have the honor to state that the Deputy Commissioner Kolar District - recommended in his letter No.257/23-24 dated the 7th July 1924 (copy enclosed) that as the petitioner had spent about Rs.2000/ in building a house and attempting to sink two irrigation wells the lease of the village might be granted to the petitioner for a period of 30 years instead of 80 years in case that the lessee agreed to the introduction of Survey and Settlement into the -- village.

A protest petition having been received in this office -- from two land holders of the village the Deputy Commissioner was asked to enquire the villagers in the matter.

He now states in his letter No.257/23-24 dated 31st July 1925 (copy enclosed) that the recent demise of the Swamigalavaru of the matt and the assumption of the management of the matt by Government have completely altered the situation that the annual rent on which the Swamigalavaru leased the village in favour of the petitioner does not seem to be a fair amount having regard to the present circumstances and comparing with the realizations made by Government after the village came under Government management,

management that the petitioner and his brother in-law Kri are fighting keenly regarding the possession of certain wet lands the village which has resulted in the creation of factions and a --- feeling of unsettlement amongst the ryots of the village and that -- in the interest of the ryots and of the matt the order of resumption may be confirmed.

Ramagurumurthiah in his statement deposes that he has obtained the lease of the village on certain conditions and has furnished cash security of Rs.400/- for the regular payment of the lease amount. He claims a sum of Rs.2000/- being the amount spent by him for faving -- improved the village.

The Sub-Division Officer after personal inspection of the alleged improvements states that the petitioner has not spent more than Rs.100 in attempting to dig two wells that the sum of Rs.500/- which the --- petitioner might have spent in improving one well has been realized by forcing the ryots to pay "Vara" tenure on the lands which were irrigated from the water of that well and that the amount spent for building a house may be realized by its sale. But the Deputy Commissioner ----- recommends the grant of a sum of Rs.500/- as compensation for the house.

The village is being managed by the local officers and an average annual income of Rs.515 is reported to have been realized during the last 5 years. The Amildar reports that the lease amount agreed upon between the lessor and the lessee was Rs.375/- for the 1st ten years and for the remaining 70 years of the lease period, Rs.400/- on condition that the lessee is liable for the payment of Government dues on the - village.

In these circumstances the Deputy Commissioner's recommendation to confirm the resumption order already passed and to the payment of Rs.500/- to the petitioner towards the alleged improvements made to the village including the construction of the house, may be kindly approved.

The enclosures and the review petition received with the Deputy

Commissioner's

Letter No.H.C.257/23-24 dated 5/7th July 1924 from the Deputy Commissioner, Kolar District to the Muzrai Commissioner in Mysore.

"With reference to your letter No.C.314/23-24 dated the 1st October 1923, forwarding for a detailed report the review petition of Mr. Ramagurumurthia presented before Government for a reconsideration of his claim to retain in his possession the Jodi village of Honnenahalli --- endowed to the Sri Avani Matt, I have the honor to forward herewith the entire correspondence ending with the Kolar Sub Division Officer's --- report No.RHC.332/23-24 dated 20-11-23, and to state as follows:-

2. Mr. Ramagurumurthia's prayer is with reference to the Jodi Honnenahalli village in Kolar Taluk, which has been brought under Government management in pursuance of Government order No.1516-7/Muz.562-20 dated the 12th October 1922. Mr. Ramagurumurthia contends that the order of resumption is prejudicial to his interests inasmuch as he has effected certain improvements in the village at a cost of about Rs.2000 and he therefore requests that the tenure of eighty years' lease may be directed to continue in his favour.

As regards the petitioner's representations, I inspected the Inam

Inam village of Honnenahalli in presence of the Sub Division the Amildar and the villagers. There is no doubt that the petitioner has spent up to about Rs.2,000/- (two thousand) by building a house and attempting two big wells for irrigation. Mr. Gurumurthia says that the present increase in the income of the village is due to the improvements effected by him.

As regards the further information required by Government, I may state that the village has been brought directly under Government management and has not been leased out to anyone else. The present income of the village is reported to be Rs.500/- per annum.

In these circumstances, I consider that some concession should be shown to the petitioner and accordingly recommend that the lease may be continued for a period of thirty years in favour of the petitioner instead of eighty years which is a long period on condition that the lessee agrees to the introduction of survey and settlement into the village.

"C o p y"

for Muzrai Commissioner.

KSR.

Letter No.H.C.257/23-24 dated 31st July 1925 from the Deputy Commissioner, Kolar District to the Muzrai Commissioner in Mysore.

"With reference to your letter No.C.314/23-24 dated 16th July 1924, calling for a further report on the review petition of Ramagurumurthiah requesting for the continuance in his favour of the --- lease of the Inam village of Honnenahal i, Kolar Taluk endowed to the Sri Avani Matt, I have the honor to forward herewith the entire correspondence ending with Kolar Sub Division Officer's report No.H.C. 677/23-24 dated 23-2-1925 and to state as follows:--

2. The recent demise of His Holiness the Swamigalvaru of the -- Avani Matt in Hyderabad territory and the assumption of the management of the Matt by the Government have completely altered the --- complexion of affairs. Further light has also been thrown upon the contentions of the petitioner by the elaborate enquiry held by the Sub Division Officer, Kolar Sub Division, in accordance with the orders of the Revenue Commissioner in appeal case No.25/23-24 dated 8th March 1924 between the petitioner and his brother-in-law Krishnasastri --- regarding the registry of the patta of certain wet lands in the inam village in question which has just been disposed of by me. (Vide copy of order attached). For one thing, the annual rent on which the --- Swamigalavaru has leased the village in favour of the petitioner does not seem to be a fair amount having regard to the present circumstances and the realisations by Government after the village came under Government management. Against a rental of Rs.375/- for ten years and Rs. 400/- thereafter per annum for which the petitioner has obtained the lease Government officers ~~xxx~~ have realised a sum of Rs.515/- on an average during the last five years and as it is desirable that the -- finances of the Matt should be carefully conserved for the Swamigalavaru that might be appointed hereafter, there is no reason why Government should sanction a lease on a comparatively lower rent. It may be added that it is very probable that with the introduction of survey and settlement for which steps have separately been taken, the income from the village would substantially improve.

3. A perusal of my order in the patta case referred to will make it clear that petitioner Ramagurumurthiah and his brother-in-law --- Krishnasastri are fighting very keenly regarding the possession of certain wet lands in the village. This has resulted in the creation of factions and a feeling of unsettlement amongst the ryots of the ---

of of the Matt to hand over the village to Ramagurumurthnah the terms indicated in my letter No.RHC.257/23-24 dated 7th July 1924 I am therefore, of opinion that the order of Government cancelling lease and ordering the resumption of the village may be confirmed. But in fairness to the petitioner, I would recommend that a sum of Rs.500/- which he has spent for the construction of a building in the village may be reimbursed to him out of the funds of the Matt. I have seen the building and there is no doubt that the petitioner has spent at least this sum, and even his opponent Krishnasastri has -- admitted this fact in the evidence given by him in the patta enquiry.

I am sorry for the delay in answering this reference which had to await the decision in the Patta case already referred to."

"C o p y"

for Muzrai Commissioner.

KSR.

84

52

GEN. & REV. SECRETARIAT.
25 AUG 1925
BOMBAY
D. No. 242
gmr 71-25-4

To

K. R. Sreenivasa Iyengar, Esquire, M. A.,
First Member of Council to the Government
of His Highness The Maharaja of Mysore,
BANGALORE.

The humble petition of Rama Gurumurthiah,
Land Holder and Bank Agent, Sidlaghatta,

Respectfully Sheweth:

1. The petitioner begs to state that the Jodi Honnenahalli, a Village in the Kolar Taluk belongs to the Avani Mutt. For many years the income from this village to the Mutt was only Rs.350/- per year.

2. This village was given for lease to the petitioner in the year 1912 by the late Swamigalu of the Mutt on a rental of Rs.445/- per annum. Since then till the year 1920, the village was under the management of the petitioner in accordance with the lease deed. During this period of 8 years the petitioner effected improvements at a cost of Rs.2,000/- by sinking wells for irrigation and constructing a house &c. Further a sum of about Rs. 1,000/- was given as loan to some of the ryots of the village to induce them to bring the waste lands of the village under cultivation, as a result of which the income of the village increased by Rs.150/- per annum. The petitioner has also given a Security of Rs.4,000/- to the

Mutt for the proper payment of the lease amount.

3. In the year 1920 the village was taken under Government management along with the Sugar cane crops which the petitioner had grown and which was ready for being cut without giving any kind of information to the petitioner. At this time two wells and a house were under construction and as the petitioner was deprived of the management of the Village, he had no opportunity to complete the works connected therewith. As a result of this, water supply could not be had to the lands of the ryots to whom loans were advanced and as such the amounts also could not be recovered from them. On account of these causes the petitioner had to lose a sum of Rs.400/- per annum being the interest on Rs.3,400/- incurred as stated above. The total loss to the petitioner works up to Rs.5,400/-, namely Rs.3,400/- being the principal and Rs.2,000/- interest.

4. If the income for the past five years during which the village was under the Government management is considered, it will be seen that a sum of Rs.5,00/- per annum was being realised, deducting the Potgi to Patels and Shanbhogues, the income to the Mutt would only be Rs.440/- per annum. Thus it will be seen that by change of the Management, the Mutt has not in any way been benefitted but that only the responsibility and work to the Government have increased. In this connection it may be stated that the present Shanbhouge of the Village appointed by Government has cut and removed a "Gundu Thope" worth about Rs.500/- and thus caused loss to the Mutt.

The petitioner begs to state that the above facts may be kindly considered and that the management of the village granted to him as before, in accordance with the terms of the lease entered with the Mutt. This will - facilitate him to complete the several unfinished works in the village undertaken by him and left in an uncompleated stage and create facilities to the ryots. He will also be paying in a lumpsome the rental due to the Mutt every year regularly without any worry to the Government.

Bangalore.
20th August 25.

Petitioner.

ಅಂಗಾಂಗಗಳು ಮತ್ತು ಅವುಗಳ ಕಾರ್ಯಗಳು

ಮಾನವನ ದೇಹವು ಅನೇಕ ಅಂಗಾಂಗಗಳಿಂದ ಕೂಡಿದೆ. ಪ್ರತಿಯೊಂದು ಅಂಗವು ಒಂದು ಅಥವಾ ಹೆಚ್ಚು ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸುತ್ತದೆ. ಈ ಅಂಗಗಳು ಒಟ್ಟಾಗಿ ಕೆಲಸ ಮಾಡಿದಾಗ ಮಾತ್ರ ದೇಹವು ಆರೋಗ್ಯವಾಗಿರಲು ಸಾಧ್ಯ. ಒಂದು ಅಂಗವು ತನ್ನ ಕೆಲಸವನ್ನು ಸರಿಯಾಗಿ ಮಾಡದಿದ್ದರೆ, ಅದು ಇಡೀ ದೇಹದ ಮೇಲೆ ಪರಿಣಾಮ ಬೀರುತ್ತದೆ. ಆದ್ದರಿಂದ ಪ್ರತಿಯೊಂದು ಅಂಗದ ಕಾರ್ಯವನ್ನು ತಿಳಿದುಕೊಳ್ಳುವುದು ಬಹಳ ಮುಖ್ಯ.

ಹೃದಯವು ಎದೆಯ ಎಡಭಾಗದಲ್ಲಿ ಇರುವ ಒಂದು ಸ್ನಾಯುಮಯ ಅಂಗ. ಇದು ಮುಷ್ಟಿಯ ಗಾತ್ರದಲ್ಲಿರುತ್ತದೆ. ಹೃದಯವು ರಕ್ತವನ್ನು ದೇಹದ ಎಲ್ಲಾ ಭಾಗಗಳಿಗೆ ಪಂಪ್ ಮಾಡುತ್ತದೆ. ಇದು ಸೆಕೆಂಡಿಗೆ ಒಂದು ಬಾರಿ ಬಡಿಯುತ್ತದೆ. ಹೃದಯವು ನಿಮಿಷಕ್ಕೆ ಸುಮಾರು ೭೨ ಬಾರಿ ಬಡಿಯುತ್ತದೆ. ಹೃದಯವು ಒಂದು ದಿನದಲ್ಲಿ ಸುಮಾರು ೭೨೦೦ ಲೀಟರ್ ರಕ್ತವನ್ನು ಪಂಪ್ ಮಾಡುತ್ತದೆ. ಹೃದಯವು ನಾಲ್ಕು ಕೋಣೆಗಳನ್ನು ಹೊಂದಿದೆ. ಮೇಲಿನ ಎರಡು ಕೋಣೆಗಳನ್ನು ಹೃತ್ಕರ್ಣಗಳು ಎಂದು ಕರೆಯುತ್ತಾರೆ. ಕೆಳಗಿನ ಎರಡು ಕೋಣೆಗಳನ್ನು ಹೃತ್ಕುಕ್ಷಿಗಳು ಎಂದು ಕರೆಯುತ್ತಾರೆ. ಹೃದಯದ ಬಡಿತವನ್ನು ಅನುಭವಿಸಲು ಎದೆಯ ಮೇಲೆ ಕೈಯಿಡಬಹುದು. ಹೃದಯವು ಒಂದು ಪಂಪ್‌ನಂತೆ ಕೆಲಸ ಮಾಡುತ್ತದೆ. ಹೃದಯವು ರಕ್ತವನ್ನು ಶುದ್ಧೀಕರಿಸುವುದಿಲ್ಲ. ಹೃದಯವು ರಕ್ತವನ್ನು ಸಾಗಿಸಲು ಸಹಾಯ ಮಾಡುತ್ತದೆ. ಹೃದಯವು ಆಮ್ಲಜನಕಯುಕ್ತ ರಕ್ತವನ್ನು ಪಂಪ್ ಮಾಡುತ್ತದೆ. ಹೃದಯವು ಆಮ್ಲಜನಕರಹಿತ ರಕ್ತವನ್ನು ಸ್ವೀಕರಿಸುತ್ತದೆ. ಹೃದಯವು ರಕ್ತವನ್ನು ಶ್ವಾಸಕೋಶಗಳಿಗೆ ಕಳುಹಿಸುತ್ತದೆ. ಹೃದಯವು ರಕ್ತವನ್ನು ಶ್ವಾಸಕೋಶಗಳಿಂದ ಸ್ವೀಕರಿಸುತ್ತದೆ. ಹೃದಯವು ರಕ್ತವನ್ನು ದೇಹದ ಎಲ್ಲಾ ಭಾಗಗಳಿಗೆ ಕಳುಹಿಸುತ್ತದೆ. ಹೃದಯವು ರಕ್ತವನ್ನು ದೇಹದ ಎಲ್ಲಾ ಭಾಗಗಳಿಂದ ಸ್ವೀಕರಿಸುತ್ತದೆ. ಹೃದಯವು ರಕ್ತವನ್ನು ಪಂಪ್ ಮಾಡುತ್ತದೆ. ಹೃದಯವು ರಕ್ತವನ್ನು ಪಂಪ್ ಮಾಡುತ್ತದೆ. ಹೃದಯವು ರಕ್ತವನ್ನು ಪಂಪ್ ಮಾಡುತ್ತದೆ.

ಶ್ವಾಸಕೋಶಗಳು ಎದೆಯಲ್ಲಿ ಇರುವ ಎರಡು ಸ್ಪಂಜಿನಂತಹ ಅಂಗಗಳು. ಇವು ಉಸಿರಾಟಕ್ಕೆ ಸಹಾಯ ಮಾಡುತ್ತವೆ. ಶ್ವಾಸಕೋಶಗಳು ಗಾಳಿಯಿಂದ ಆಮ್ಲಜನಕವನ್ನು ತೆಗೆದುಕೊಂಡು ರಕ್ತಕ್ಕೆ ಸೇರಿಸುತ್ತವೆ. ಶ್ವಾಸಕೋಶಗಳು ರಕ್ತದಿಂದ ಇಂಗಾಲದ ಡೈಆಕ್ಸೈಡ್ ಅನ್ನು ತೆಗೆದುಹಾಕುತ್ತವೆ. ಶ್ವಾಸಕೋಶಗಳು ಗಾಳಿಯಿಂದ ಆಮ್ಲಜನಕವನ್ನು ತೆಗೆದುಕೊಳ್ಳ

G. R. S. VI—G/32]

SUBJECT..... .....

Diary No. of letter replied to 241

General and Revenue Secretariat
( )
, *the* 191 .

Date of issue 15-10-21

Signed by [illegible]

Section Inwards
File No. 71
Serial No 1923

No. 443 Encl. one file

To The Inuzai Centre

Sir,

Adverting to your letter no. C. 314 dt 19-8-21 reporting on the Review petition of Ramaswamurthi praying for the restoration of Jodi Honnenahalli Village in the Kolar District belonging to Sri Parakala Math, I am directed to state

over.

given
either the
you, you ~~him~~
so soon as to give
an opportunity of
presenting his case in
person and after hearing
him, to favour you with
our views in the matter
(2) The records are
herewith returned for ref.
& re Entry

I have &c.

10.10.25.

Secretary.

By 10/10/25

List of enclosures.

Copied by

Examined by

26828

C 314 07234 one file

Office of the Muzrai Commissioner In Mysore,

Dated, Bangalore the 4th January 1926.

From

C. s. Balasundaram Iyer, Esq., B.A.,

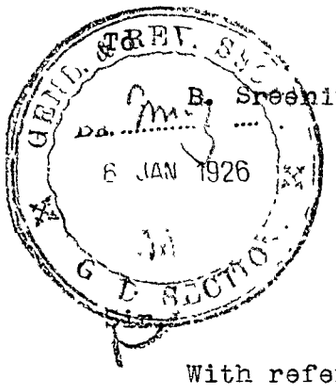
Muzrai Commissioner In Mysore, B A N G A L O R E.

To

B. Sreenivasa Iyengar, Esq., B.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, Revenue Department.



With reference to your letter No. 443/Muz.71-23-5 dated the 15th October 1925 in Re; the review petition Ramagurumurtiah praying for the restoration of the Jodi village of Honnenahalli in the Kolar Taluk belonging to the Sri Avani Matt, I have the honor to state that as desired the petitioner was given a hearing. He through his counsel urged that the village was leased to him for a long period and in view of this circumstance he had spent much on improvements with the prospect of reaping the benefit in the long run. Considering this aspect of the case, it seems rather hard to determine the lease abruptly and put the petitioner to loss. I would recommend that he may be allowed to have the lease of the village for a shorter time, say 20 (Twenty) years, the previous lease deed of 80 years being cancelled and a fresh one being executed by him in favor of Government under whose management, the Mutt properties are.

The enclosures to your letter under reply are herewith returned.

I have the honor to be,

Sir,

your most obedient servant,

S Balasundaram

Muzrai Commissioner.

42

Proceedings of the Government of H.H.
the Maharaja of Mysore.

Read.-

Paragraph 3 of Govt. Pro. No. 1516-7/ Muz.562-20-15 dated 12-10-1922 directing the resumption of Inam Honnenahalli village in the Kolar Taluk endowed to Sri Avani Mutt.

2. Revision petition registered as No. 282 dated 31-8-1923 from Ramagurumurthiah son of Rama Subba Bhatta praying that the order of resumption may be cancelled and the village restored to him.

3. Correspondence ending with letter No.C. 314 dated 5-1-1926 from the Muz. Commr. reporting on the subject.

Order No. 998-1000 Muz 71-23-7. dated 5/2/26

The Inam village of Honnenahalli in the Kolar Taluk endowed to Sri Avani Mutt, having been let out under a registered lease deed of 9-9-1912 by the previous Swami, to the petitioner Ramagurumurthiah, for a period of 80 years, subject to the payment of an annual Gutta of Rs.375 for 10 years, and thereafter Rs. 400/- per annum for the rest of the term, the transaction was considered as amounting to an alienation and the Deputy Commr's. order of resumption of the Inam was therefore confirmed by Govt. in the order of 12-10-1922 read above.

Paid 20/1/26

2. Ramagurumurthiah presented a review application praying for a reconsideration of

the

the said order and for the restoration of the said village to him on the ground that the village having been leased to him for a long period, he had spent a large amount on improvements with the prospect of reaping the benefit in the long run.

3. The Dy. Commr. Kolar, to whom the petition was referred for report, first recommended to the Muz. Commr. in his letter No. 257/1923-24 dated 7-7-1924 that as the petitioner had spent about Rs. 2000/- in building a house and attempting to sink two irrigation wells, the village might me restored to him or a lease of 30 years instead of 80 years; but on a subsequent communication from that officer, he observed in his letter dated 31-7-25 that in view of the altered conditions of the Govt. having taken over the management of the Mutt estates and the demise of the Swami recently, the restoration of the village to the petitioner on lease even for a shorter time ~~is~~ was undesirable and recommended only the payment of a compensation of Rs. 500/- for the improvements effected by him.

4. The Muz. Commr. first supported the Dy. Commr's. recommendation for payment of compensation to the petitioner but ~~as desired in this office communication No. 441 dated 15-10-1925~~, after further enquiry into the matter and giving a hearing to the petitioner, he ~~reports~~ writes that it ~~seems~~ would be rather hard to determine the lease abruptly and put the petitioner to loss, and recommends in the peculiar circumstances of the case, that the petitioner may be allowed to have the lease

of the village for a shorter period viz: 20 years, the previous lease deed of 80 years being cancelled and a fresh one being executed by him in favour of Government on behalf of the State

5. Under the circumstances reported, Govt. consider the Muz. Commr's. final recommendation as equitable and sanction it in supersession of the orders conveyed in order dated 12-10-1922. The Muz. Commr. is requested to take necessary further action in consultation with the Dy. Commr. in the matter of the restoration of the village to the petitioner, after obtaining the proposed fresh agreement and necessary guarantee for the efficient management of the village and payment of the lease amount during the period of the fresh lease.

Revenue Secretary.

To

The Muz. Commr. in Mysore (returning the enclosures)
The Comptroller to Govt.

Print

J.R.G.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. 998-1000--Muz. 71-23-7, dated 5th February 1926.

Inam Honnenahalli village, Kolar Taluk, endowed to Sri Avani Mutt.

Sanctions the Muzrai Commissioner's recommendation to lease the —— to Ramagurumurthiah for a period of 20 years.

READ—

Paragraph 3 of Government Proceedings No. 1516-7—Muz. 562-20-15, dated the 12th October 1922, directing the resumption of Inam Honnenahalli village in the Kolar Taluk endowed to Sri Avani Mutt.

2. Revision petition registered as No. 282, dated the 31st August 1923, from Ramagurumurthiah, son of Rama Subba Bhatta praying that the order of resumption may be cancelled and the village restored to him.

3. Correspondence ending with letter No. C. 314, dated the 5th January 1926, from the Muzrai Commissioner in Mysore reporting on the subject

ORDER No. 998-1000—MUZ. 71-23-7, DATED 5TH FEBRUARY 1926

The Inam village of Honnenahalli in the Kolar Taluk endowed to Sri Avani Mutt, having been let out under a registered lease deed of 9th September 1912, by the previous Swami, to the petitioner Ramagurumurthiah, for a period of 80 years, subject to the payment of an annual Gutta of Rs. 375 for 10 years, and thereafter Rs. 400 per annum for the rest of the term, the transaction was considered as amounting to an alienation, and the Deputy Commissioner's order of resumption of the Inam was therefore confirmed by Government in the order of 12th October 1922, read above.

2. Ramagurumurthiah presented a review application praying for a reconsideration of the said order and for the restoration of the said village to him on the ground that the village having been leased to him for a long period, he had spent a large amount on improvements with the prospect of reaping the benefit in the long run.

3. The Deputy Commissioner, Kolar, to whom the petition was referred for report, first recommended to the Muzrai Commissioner in his letter No 257—1923-24, dated the 7th July 1924 that as the petitioner had spent about Rs. 2,000 in building a house and attempting to sink two irrigation wells, the village might be restored to him on a lease of 30 years instead of 80 years : but on a subsequent communication from that Officer, he observed in his letter dated 31st July 1925, that in view of the altered conditions of the Government having taken over the management of the Mutt estates and the demise of the Swami recently, the restoration of the village to the petitioner on lease even for a shorter time was undesirable and recommended only the payment of a compensation of Rs. 500 for the improvements effected by him.

4. The Muzrai Commissioner first supported the Deputy Commissioner's recommendation for payment of compensation to the petitioner, but, after further enquiry into the matter and giving a hearing to the petitioner, he considers that it would be rather hard to terminate the lease abruptly and put the petitioner to loss and recommends in the peculiar circumstances of the case that the petitioner may be allowed to have the lease of the village for a shorter period, *viz.*, 20 years, the previous leasedeed of 80 years being cancelled and a fresh one being executed by him in favour of Government on behalf of the Mutt.

No. 998-1000—Muz. 71-23-7, dated 5th February 1926.

5. Under the circumstances reported, Government consider the Muzrai Commissioner's final recommendation as equitable, and sanction it, in supersession of the orders conveyed in order dated 12th October 1922. The Muzrai Commissioner is requested to take necessary further action in consultation with the Deputy Commissioner in the matter of the restoration of the village to the petitioner, after obtaining the proposed fresh agreement and necessary guarantee for the efficient management of the village and payment of the lease amount during the period of the fresh lease.

B. SRINIVASA IYENGAR,
Secretary to Government,
Revenue Department.

To—The Muzrai Commissioner in Mysore (returning the enclosures).
The Comptroller to the Government of Mysore
The Deputy Commissioner, Kolar District.

Exd —P S, R N

WD 1789—GPB —330—25-2-26